

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As named inventors, **James D. Lewis, Jr., William Baccia, Josef Schmidt, Johan Vandersande, John Carl Card, Theodor Langer, Georg Habison and Helmut Eder**, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**ALBUMIN IN A FLEXIBLE POLYMERIC CONTAINER**", the Specification of which was filed with the U.S. Patent and Trademark Office on March 19, 2002, as U.S. Application No. 10/101,490.

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

NONE
Number

Country

Day/Month/Year Filed

Yes No

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

NONE
Application Number

Filing Date

We hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

<u>NONE</u>		
Application Number	Filing Date	Status

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Francis C.M. Kowalik	- 34,646	Daniel N. Christus	- 29,626	James P. Muraff	- 39,785
Mark J. Buonaiuto	-31,593	Linda A. Kuczma	- 30,861	Austin J. Foley	- 42,543
Joseph J. Barrett	-34,769	Roger H. Stein	- 31,882	Matthew J. Gryzlo	- 43,648
Janice Guthrie	-35,170	Micheal D. Lake	- 33,727	Peter M. Klobuchar	- 43,722
Paula J Kelly	-37,624	Robert W. Diehl	- 35,118	Brent A. Hawkins	- 44,146
Jeffrey C. Nichols	-36,879	Bradley F. Rademaker	- 35,331	William J. Lenz	- 44,208
Bradford R.L. Price	-29,101	Richard C. Himelhoch	- 35,544	Joseph M. Kinsella Jr.	- 45,743
Joseph P. Reagan	-35,332	Monique A. Morneault	- 37,893	Stephen R. Auten	- 47,396
Michael F. Fedrick	-36,799	Jeffrey R Gargano	- 38,148	Peter M. Siavelis	- 51,136
Michael C. Schiffer	-30,215	Paul J. Nykaza	- 38,984		
C. Joseph Faraci	-32,350	Edward L. Bishop	- 39,110		

Send correspondence to:

Michael C. Schiffer
Associate General Counsel and Chief Patent Counsel
Baxter Healthcare Corporation
P. O. Box 15210
Irvine, CA 92623-5210

We hereby declare all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-3-

PATENT

Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Full Name of First Joint Inventor: James D. Lewis, Jr.
Residential Street Address: 42705 N. Pedersen Lane
City and State/Province: Antioch, Illinois
Country and Zip/Postal Code: U.S.A. 60002
Citizenship: U.S.A.
Mailing Address: Same as above.
Inventor's Signature: James D. Lewis, Jr.
Date: 12-2-03

Full Name of Second Joint Inventor: William Baccia
Residential Street Address: 3819 Lincolnshire Drive
City and State/Province: McHenry, Illinois
Country and Zip/Postal Code: U.S.A. 60050
Citizenship: U.S.A.
Mailing Address: Same as above.
Inventor's Signature: William Baccia
Date: 12/02/03

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-4-

PATENT

Full Name of Third Joint Inventor: Josef Schmidt

Residential Street Address: 2262 Heathercliff

City and State/Province: Green Oaks, Illinois

Country and Zip/Postal Code: U.S.A. 60048

Citizenship: U.S.A.

Mailing Address: Same as above.

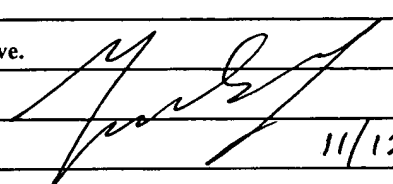
Inventor's Signature: Josef Schmidt

Date: 12/08/03

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-5-

PATENT

Full Name of Fourth Joint Inventor: Johan Vandersande
Residential Street Address: 24460 Wayman Street
City and State/Province: Newhall, California
Country and Zip/Postal Code: U.S.A. 91321
Citizenship: U.S.A.
Mailing Address: Same as above.
Inventor's Signature: 
Date: 11/12/03

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-6-

PATENT

Full Name of Fifth Joint Inventor: John Carl Card

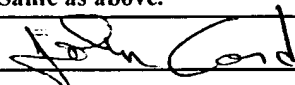
Residential Street Address: 11521 31 Mile Road

City and State/Province: Washington, Michigan

Country and Zip/Postal Code: U.S.A. 48095-1381

Citizenship: U.S.A.

Mailing Address: Same as above.

Inventor's Signature: 

Date: Nov 28, 2003

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-7-

PATENT

Full Name of Sixth Joint Inventor: Theodor Langer

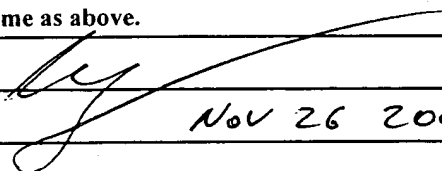
Residential Street Address: Rodlergasse 17a/11

City and State/Province: Vienna

Country and Zip/Postal Code: Austria A-1190

Citizenship: Austria

Mailing Address: Same as above.

Inventor's Signature: 

Date: Nov 26 2003

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-8-

PATENT

Full Name of Seventh Joint Inventor: Georg Habison

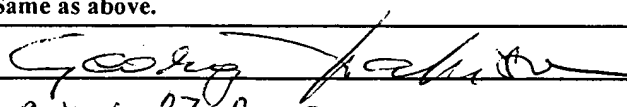
Residential Street Address: Taubstummengasse 15/12

City and State/Province: Vienna

Country and Zip/Postal Code: Austria A-1040

Citizenship: Austria

Mailing Address: Same as above.


Inventor's Signature: 

Date: Nov. 27. 2003

Attorney Docket No. 1417Y P 634
Baxter Ref: HT-5755

-9-

PATENT

Full Name of Eighth Joint Inventor: Helmut Eder
Residential Street Address: Andreas Hofer Strasse 16
City and State/Province: Kufstein
Country and Zip/Postal Code: Austria A-6330
Citizenship: Austria
Mailing Address: Same as above.
Inventor's Signature: 
Date: Nov 27 . 2003

(185793.1)

Serial No: 10/101,490

Filed: March 19, 2002

Attorney Docket No.: HT-5755 (1417YP634)

In consideration of ONE DOLLAR and other good and valuable considerations, the receipt and sufficiency whereof are her by acknowledged, we hereby assign to BAXTER INTERNATIONAL INC., a corporation of Delaware, having a principal place of business at DEERFIELD, ILLINOIS, and BAXTER HEALTHCARE S.A., a corporation of Switzerland, having a principal place of business at Zurich, Switzerland (herein collectively referred to as "assignees"), their successors, legal representatives and assigns, the entire right, title and interest throughout the world in our invention or improvements in

ALBUMIN IN A FLEXIBLE POLYMERIC CONTAINER

and in the application for Letters Patent of the United States therefor, executed by each of us individually on the date(s) indicated below and any and all other United States applications and applications in any and all countries which we may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States or of any other country which may be obtained on any of the said applications, and in any reissue or extension thereof.

We hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said BAXTER INTERNATIONAL INC. and BAXTER HEALTHCARE S.A.

We hereby authorize and request the attorneys of record in said application to insert in this assignment the date and serial number of said application when officially known.

We warrant ourselves to be the owners of the interest herein assigned and to have the right to make this assignment; and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said considerations we hereby agree, upon the request and at the expense of said assignees, their successors, legal representatives and assigns, to execute any and all divisional, continuation, and renewal applications for said invention or improvements, and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application that said assignees, their successors, legal representatives and assigns may deem necessary or expedient, and for the said considerations we further agree, upon the request of said assignees, their successors, legal representatives and assigns, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof becoming involved in interference, to cooperate to the best of our ability with said assignees, their successors, legal representatives and assigns in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. We further agree to perform, upon such request, any and all affirmative acts to obtain Letters Patent, and vest all rights therein hereby conveyed in said assignees, their successors, legal representatives and assigns whereby said Letters Patent will be held and enjoyed by the said assignees, their successors, legal representatives and assigns to the end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made, and for the said considerations we hereby also assign to said, assignees, their successors, legal representatives and assigns the entire right, title and interest in said invention or improvements for any and all foreign countries and the right of priority for patent and utility model applications in all countries arising under any applicable international convention for the protection of industrial property and/or any internal priority legislation of such countries, and we further agree upon the request of said assignees, their successors, legal representatives and assigns to execute any and all documents that shall be required to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said assignees.

WITNESS our hand and sealDate 7-18-02Signature: James D. Lewis, Jr.

Name: James D. Lewis, Jr., Inventor

Subscribed and sworn before me,
this 18th day of July, 2002Notary Public Margitta Renate GriggDate 7-18-02Signature: William Baccia

Name: William Baccia, Inventor

Subscribed and sworn before me,
this 18th day of July, 2002Notary Public Margitta Renate Grigg

Baxter

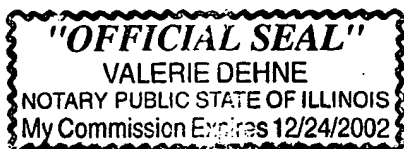
Date 8/24/02

Signature: Josef Schmidt

Name: Josef Schmidt, Inventor

Subscribed and sworn before me,
this 24 day of August, 2002

Valerie Dehne
Notary Public



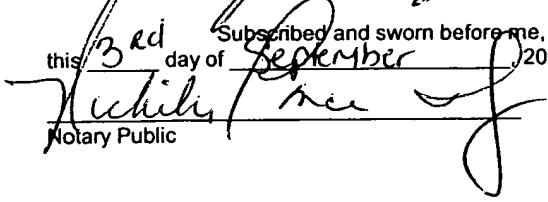
Baxter

Date 9/3/2003

Signature: 

Name: Johan Vandersande, Inventor

Subscribed and sworn before me,
this 3rd day of September, 2003


Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Ventura } ss.

On September 3, 2003, before me, Nichelle Ponce Irving, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Johan Vandersande
Name(s) of Signer(s)

- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nichelle Ponce Irving
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Assignment for HT-5706 - HT-5755

Document Date: March 19, 2002 Number of Pages: 9

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Johan Vandersande

- ☒ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

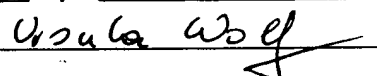
Baxter

Date 07/02/02

Signature: 
Name: Theodor Langer, Inventor

Subscribed before me,

this 2 day of JULY, 2002

Witness 

(144111.2)

Baxter

Date 6-26-02

Signature: 

Name: John Carl Card, Inventor

Subscribed and sworn before me,
this 26 day of June, 2002


Notary Public

LINDA COSGROVE
Notary Public, Oakland County, MI
My Commission Expires Jun 14, 2005

Baxter

**HT-5755
ASSIGNMENT
(Joint Inventors)**

Serial No. 10/101,490

Filed March 19, 2002

For good and valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, we hereby assign to **BAXTER INTERNATIONAL INC.**, a corporation of Delaware, having a principal place of business at Deerfield, Illinois, its successors, legal representatives and assigns, and **BAXTER HEALTHCARE S.A.**, a corporation of Switzerland, having a principal place of business at Zurich, Switzerland, its successors, legal representatives and assigns (hereinafter jointly referred to as "ASSIGNEE") the entire right, title and interest throughout the world in our invention or improvements in

ALBUMIN IN A FLEXIBLE POLYMERIC CONTAINER

and in the application for Letters Patent of the United States therefor, executed by each of us individually on or before the date(s) indicated below and any and all other United States applications and applications in any and all countries which we may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States or of any other country which may be obtained on any of the said applications, and in any reissue or extension thereof.

We hereby authorize and request the Commissioner of patents to issue said Letters Patent to said ASSIGNEE.

We hereby authorize and request the attorneys of record in said application to insert in this assignment the date and serial number of said application when officially known.

We warrant ourselves to be the owners of the interest herein assigned and to have the right to make this assignment; and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said considerations we hereby agree, upon the request and at the expense of said assignee, its successors, legal representatives and assigns, to execute any and all divisional, continuation, and renewal applications for said invention or improvements, and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application that said assignee, its successors, legal representatives and assigns may deem necessary or expedient, and for the said considerations we further agree, upon the request of said assignee, its successors, legal representatives and assigns, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof becoming involved in interference, to cooperate to the best of our ability with said assignee, its successors, legal representatives and assigns in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. We further agree to perform, upon such request, any and all affirmative acts to obtain Letters Patent, and vest all rights therein hereby conveyed in the said assignee, its successors, legal representatives and assigns whereby said Letters Patent will be held and enjoyed by the said assignee, its successors, legal

HT-5755
ASSIGNMENT
(Joint Inventors)
Page 2

representatives and assigns to the end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made, and for the said considerations we hereby also assign to said assignee, its successors, legal representatives and assigns the entire right, title and interest in said invention or improvements for any and all foreign countries and the right of priority for patent and utility model applications in all countries arising under any applicable international convention for the protection of industrial property and/or any internal priority legislation of such countries, and we further agree upon the request of said assignee, its successors, legal representatives and assigns to execute any and all documents that shall be required to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said assignee.

WITNESS our hand and seal.

Date Nov 27 2003 Signature Georg Habison

Typed Name: GEORG HABISON

Ursula Wolf

NOV-27-2003
Date

Date Nov. 27. 2003 Signature Helmut Eder

Typed Name: HELMUT EDER

Ursula Wolf
Witness

NOV-27-2003